IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 15321 of 2004

Between:

1 K. Chennamma, W/o. Late Gurraiah,
R/o. Reddipalli Harijanawada, Atlur Mandal, Kadapa District.
2 Sige Balamma, W/o. Madan,
R/o. Reddipalli Harijanawada, Atlur Mandal, Kadapa District.
3 Sige Munemma, W/o. Chinna Prasad,
R/o. Reddipalli Harijanawada, Atlur Mandal, Kadapa District.

..... PETITIONERS

AND

1 The District Collector, Kadapa, Kadapa District.
2 The Mandal Revenue Officer, Atlur Mandal, Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or direction declaring the inaction of the 2nd respondent herein in not processing the applications of the Petitioners submitted under Form-A for assignment of land situate in Sy.No. 795/3, Sy.No. 795/4 and Sy.No. 795/5 measuring an extent of Ac. 4.50 situated in Reddipalli Village, Atlur Mandal, Kadapa District, dated 13-1-2004 as arbitrary, illegal, unconstitutional and against the provisions of A.P. Board of Revenue Standing Orders and consequently direct to process the applications of the Petitioners for grant of pattas forthwith.

Counsel for the Petitioner:MR.T.NAGARJUNA REDDY
Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following ORDER :

Heard learned counsel for the petitioners and learned Government Pleader for Revenue and at their request the writ petition is taken up for disposal at the stage of admission itself.

Petitioners, who are claiming to be in possession of Ac.1.50 cts. each in survey Nos. 795/5, 3 and 4 situate in Reddipalli village, Atlur mandal of Kadapa district for the last five years and developed the same, made representations to the second respondent for grant of pattas in their favour in respect of the said land. While so, on 13.01.2004, the petitioners submitted Form-A i.e. application for assignment of the land in their favour, and requested the first respondent to give necessary directions to the second respondent to issue pattas in their favour. Since no action has been taken by the respondents on the applications submitted by them, the petitioners filed the present writ petition.

Learned counsel for the petitioner contends that the authorities are bound to process the applications submitted under Form-A as contemplated under the A.P. Board of Revenue Standing Orders.

Having heard the learned counsel on either side and having perused the material available on record, it is seen that the petitioners belong to SC community and they are in occupation and possession of land in an extent of Ac.1.50 cts. each in survey No.795 of Reddipalli village. The entitlement of the petitioners for assignment of the land in their favour has to be decided by the second respondent. Unless it is found that the possession of the petitioners is

objectionable and the land, which is occupied by them, is not assignable, the second respondent cannot deprive the petitioners of their right to enjoy the land in question.

In view of the same, the second respondent is directed to consider the applications of the petitioners dated 13.01.2004 and if the petitioners are found to be eligible for assignment of the land, which is in their possession, he shall send necessary proposals to the first respondent for taking appropriate steps.

The writ petition is accordingly disposed of.

04.10.2004

ksld

To

1 The District Collector, Kadapa, Kadapa District.
2 The Mandal Revenue Officer, Atlur Mandal, Kadapa District.

3. Two Ccs. to the Govt,.Pleader for Revenue,High Court of

A.P.(OUT).

4. Two CD copies.